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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Mohammad Mirmehdi, *et al.*,

Plaintiffs,

v.

John Ashcroft, *et al.*,

Defendants.

No. 2:06-cv-05055-R (PJWx)

**[PROPOSED] PROTECTIVE
ORDER**

1 PURSUANT TO THE PARTIES' STIPULATION FOR PROTECTIVE
2 ORDER, IT IS HEREBY ORDERED THAT:

3 (1) Pursuant to 5 U.S.C. § 552a(b)(11), the United States is
4 authorized to disclose to the parties, their respective counsels, and the Court
5 documents and records otherwise covered by the Privacy Act. Such disclosure
6 shall be subject to the procedures and conditions set forth in this Protective Order.

7 (2) Counsel for the Federal Defendants shall mark as
8 "Confidential" any records or information that contain highly sensitive information
9 regarding individuals not parties to this action. The parties agree that any records
10 or information marked as "Confidential" will be filed only under seal.

11 (3) Nothing in this Protective Order shall waive or prejudice the
12 rights of any party to make objections or to assert any privilege, with the respect to
13 the discovery or disclosure of any document, material, or information, pursuant to
14 the Federal Rules of Civil Procedure or any other governing authority nor is it
15 intended to alter any burden of proof regarding any assertion of privilege in this
16 matter.

17 (4) The parties may use records produced by the Federal Defen-
18 dants in all further proceedings in this case in this district court. However, any
19 records or information designated as "Confidential" shall be filed only under seal.

20 (5) Except as otherwise ordered by this Court, any information
21 subject to this Protective Order may be disclosed only to the following persons:
22 (a) parties and attorneys of record for the parties in this action; (b) persons
23 regularly in the employ of such attorneys to the extent reasonably necessary to
24 render professional services in this action; (c) law student interns working under
25 the supervision of any attorney of record; (d) any experts engaged by the parties
26 provided that such disclosure is reasonably and in good faith calculated to aid in
27 litigating this action; and (e) any deponent in this action during his or her
28 deposition. Any person not in category (a) or (b) whom information subject to this

1 Protective Order is disclosed to, must execute an acknowledgment, such as the
2 acknowledgment attached to the parties' stipulation, and a copy of the executed
3 acknowledgment must be served to all counsel.

4 (6) The parties shall have the right to use records produced by the
5 Federal Defendants in this case in any court proceeding, deposition or other
6 discovery proceeding, or motion to the extent allowed by the Federal Rules of Civil
7 Procedure, the Federal Rules of Evidence, and any other provision of law.

8 (7) The parties shall have the right to use the records produced by
9 the Federal Defendants in any appellate proceedings; however, any exhibits,
10 records or information marked as "Confidential" shall only be filed under seal.

11 (8) If any party wishes to challenge the designation of a document
12 as "Confidential," the parties should meet and confer to resolve the dispute. If the
13 parties are unable to resolve the dispute, the party wishing to challenge the desig-
14 nation of a document as "Confidential" may file an appropriate motion with the
15 Court.

16 (9) Upon completion of this action, the parties and their counsel
17 shall certify to the Court that they have irretrievably destroyed all documents that
18 have been marked as Confidential. They shall further certify that they have
19 destroyed all copies and/or duplicates, as defined by Rule 1001(4) of the Federal
20 Rules of Evidence, that they have made of such documents.

21 Marianna R. Pfaelzer /S/

22 Date: __July 17, 2008__

23 For Hon. Manuel L. Real
24 United States District Court Judge
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CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing “[PROPOSED] PROTECTIVE ORDER” with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

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This 16th day of JULY, 2008,

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